



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ALHAMBRA, CALIFORNIA 91803-1331
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GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

September 27, 2011

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

8 September 27, 2011

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

PUBLIC HEARING
RESOLUTION TO VACATE NEBO DRIVE WEST OF SOHN DRIVE
IN THE UNINCORPORATED COMMUNITY OF MONTE NIDO
(SUPERVISORIAL DISTRICT 3)
(3 VOTES)

SUBJECT

This action involves the proposed vacation of Nebo Drive west of Sohn Drive in the unincorporated community of Monte Nido, which is no longer needed for public use. The vacation has been requested by the underlying property owners to enhance their property and remove restriction of the easement.

IT IS RECOMMENDED THAT YOUR BOARD:

AFTER THE PUBLIC HEARING:

1. Find that the proposed action is exempt from the provisions of the California Environmental Quality Act.
2. Find that Nebo Drive west of Sohn Drive in the unincorporated community of Monte Nido is unnecessary for present or prospective public use, and is not useful as a nonmotorized transportation facility.

3. Find that public convenience and necessity require the reservation and exception of easements and rights of way for the maintenance, operation, replacement, removal, and renewal of utility facilities located within Nebo Drive west of Sohn Drive in the unincorporated community of Monte Nido, owned by the Las Virgenes Municipal Water District, Southern California Gas Company, and Charter Communications, in accordance with Sections 8340 and 8341 of the California Streets and Highways Code.
4. Adopt a Resolution to Vacate Nebo Drive west of Sohn Drive with Reservations, pursuant to Section 8324 of the California Streets and Highways Code.
5. Upon approval, authorize the Director of Public Works to record the certified resolution with the office of the Los Angeles County Registrar Recorder/County Clerk.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the project is categorically exempt from the California Environmental Quality Act (CEQA) and allow the County of Los Angeles (County) to vacate Nebo Drive west of Sohn Drive (Easement) in the unincorporated community of Monte Nido since it no longer serves the purpose for which it was dedicated and is not required for public access or transportation.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The vacation of the Easement will result in added revenue through assessment and taxation and reduce the County's exposure to potential liability.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The vacation of the Easement will not have a negative fiscal impact on the County's budget. The applicant has paid a \$1,500 fee to defray the expenses of the investigation, mailings, publication, and posting. This amount has been deposited in the Road Fund. The fee was authorized by the County Board of Supervisors (Board) in a resolution adopted May 4, 1982, Synopsis 62 (Fee Schedule), and as prescribed in Section 8321(d) of the California Streets and Highways Code.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The area to be vacated contains approximately 2,063 square feet and is shown on the map that is attached to the enclosed Resolution to Vacate with Reservations.

The procedure for the vacation of a County highway is set forth in Chapter 3 of Part 3 of Division 9 of the California Streets and Highways Code commencing with Section 8320.

Pursuant to Section 8320, your Board may initiate proceedings to vacate a public highway by having the Executive Office of the Board of Supervisors set a date (not less than 15 days after the initiation of proceedings), hour, and place for a hearing on the vacation.

Pursuant to Section 8322, notice of the hearing must be published for at least two successive weeks prior to the hearing in a daily, semiweekly, or weekly newspaper published and circulated in the County.

Pursuant to Section 8323, at least two weeks before the day set for the hearing, at least three notices of the hearing must be posted conspicuously along the line of the highway proposed to be vacated.

Pursuant to Section 8324, your Board may adopt a resolution vacating the highway if, after considering all the evidence offered at the hearing, your Board determines that the highway is unnecessary for present or prospective public use.

Additionally, pursuant to Sections 892 and 8314, your Board must also find that the highway proposed to be vacated is not useful as a nonmotorized transportation facility, prior to resolving to vacate the highway.

The County's interest in the Easement was acquired in 1926 by dedication in Tract No. 9372, recorded in Book 126, pages 14 to 19, inclusive, of Maps, in the office of the Los Angeles County Registrar-Recorder/County Clerk, as an easement for road and highway purposes.

The vacation has been requested by the underlying property owner Shirley Lehman and supported by Kemp Lambeth and Shirley Lambeth, the adjacent underlying property owners, to enhance their property and remove restriction of the Easement.

The proposed vacation was reviewed by the Departments of Parks and Recreation and Regional Planning. It was determined to be not useful as a nonmotorized transportation facility, and meets with the goals and objectives of the Community Plan and underlying zoning.

Existing Easement rights for existing facilities will be reserved for the Las Virgenes Municipal Water District, Southern California Gas Company, and Charter Communications pursuant to Sections 8340 and 8341 of the California Streets and Highways Code.

ENVIRONMENTAL DOCUMENTATION

This action is categorically exempt from the provisions of CEQA. The proposed vacation of the Easement is within a class of projects that has been determined not to have a significant effect on the environment in that it meets the criteria of Sections 15305 and 15321 of the State CEQA Guidelines. In addition, the project is not in a sensitive environment and there are no cumulative impacts, unusual circumstances, or other limiting factors that would make the exemption under Section 15305 inapplicable based on the project records.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This action will allow for additional property taxes through the vacation of the Easement.

Existing easement rights for utility facilities will be reserved for the Las Virgenes Municipal Water District, Southern California Gas Company, and Charter Communications pursuant to Sections 8340

The Honorable Board of Supervisors

9/27/2011

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and 8341 of the California Streets and Highways Code.

CONCLUSION

The Department of Public Works, Survey/Mapping & Property Management Division, will post notices of the hearing in accordance with Section 8323 of the California Streets and Highways Code.

Please return one adopted copy of this letter and one original and one copy of the resolution to the Department of Public Works, Survey/Mapping & Property Management Division, together with a copy of your Board's minute order. Retain one original for your files.

Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The signature is written in a cursive, flowing style.

GAIL FARBER

Director

GF:SGS:mr

Enclosures

c: Auditor-Controller (Accounting Division - Asset
Management)
Chief Executive Office (Rita Robinson)
County Counsel
Executive Office

**RESOLUTION TO VACATE
NEBO DRIVE WEST OF SOHN DRIVE WITH RESERVATIONS**

WHEREAS, the Board of Supervisors of the County of Los Angeles has conducted a noticed public hearing regarding the proposed vacation of Nebo Drive west of Sohn Drive in the unincorporated community of Monte Nido (hereinafter referred to as the Easement) in the County of Los Angeles, State of California, as legally described in Exhibit A and depicted on Exhibit B, both attached hereto, in accordance with Chapter 3, Part 3, Division 9, of the California Streets and Highways Code of the State of California, commencing with Section 8320, and has considered all evidence submitted at the hearing;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES HEREBY FINDS, DETERMINES, AND RESOLVES AS FOLLOWS:

1. That the Easement is unnecessary for present or prospective public use, and is not useful as a nonmotorized transportation facility.
2. That the public convenience and necessity require the reservation and exception of easements and rights of way for the maintenance, operation, replacement, removal, and renewal of utility facilities located within the Easement, owned by the Las Virgenes Municipal Water District, the Southern California Gas Company, and Charter Communications in accordance with Sections 8340 and 8341 of said California Streets and Highways Code.
3. That the Easement is hereby vacated pursuant, to Chapter 3, Part 3, Division 9, of the California Streets and Highways Code of the State of California, commencing with Section 8320; reserving and excepting therefrom easements and rights of way for the maintenance, operation, replacement, removal, and renewal of utility facilities located within the Easement in favor of the Las Virgenes Municipal Water District, Southern California Gas Company, and Charter Communications.
4. That the Director of Public Works or her designee is authorized to record the certified original resolution with the office of the Los Angeles County Registrar-Recorder/County Clerk.

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The foregoing resolution was on the 27th day of September, 2011, adopted by the Board of Supervisors of the County of Los Angeles, and ex-officio the governing body of all other special assessment and taxing districts for which said Board so acts.



SACHI A. HAMAI
Executive Officer of the
Board of Supervisors of the
County of Los Angeles

By Sachelle Smitheman
Deputy

APPROVED AS TO FORM:

ANDREA SHERIDAN ORDIN
County Counsel

By Andrea Sheridan Ordin
Deputy

GT:mr

P:\MPPUB\ADMIN\MARIA\BOARD LETTER ENCLOSURE\NEBO DR RES ENCLOSRE

EXHIBIT A

Project Name: **NEBO DRIVE WEST OF SOHN
DRIVE 1-1VAC**
A.I.N. 4456-017-Nebo Drive (por)
T.G. 629-A1
I.M. 129-097
S.D. 3
M0788113

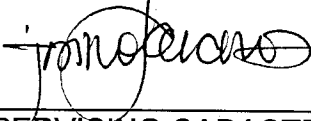
LEGAL DESCRIPTION

PARCEL NO. 1-1VAC: (Vacation of road easement)

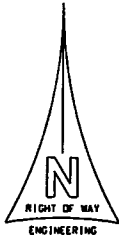
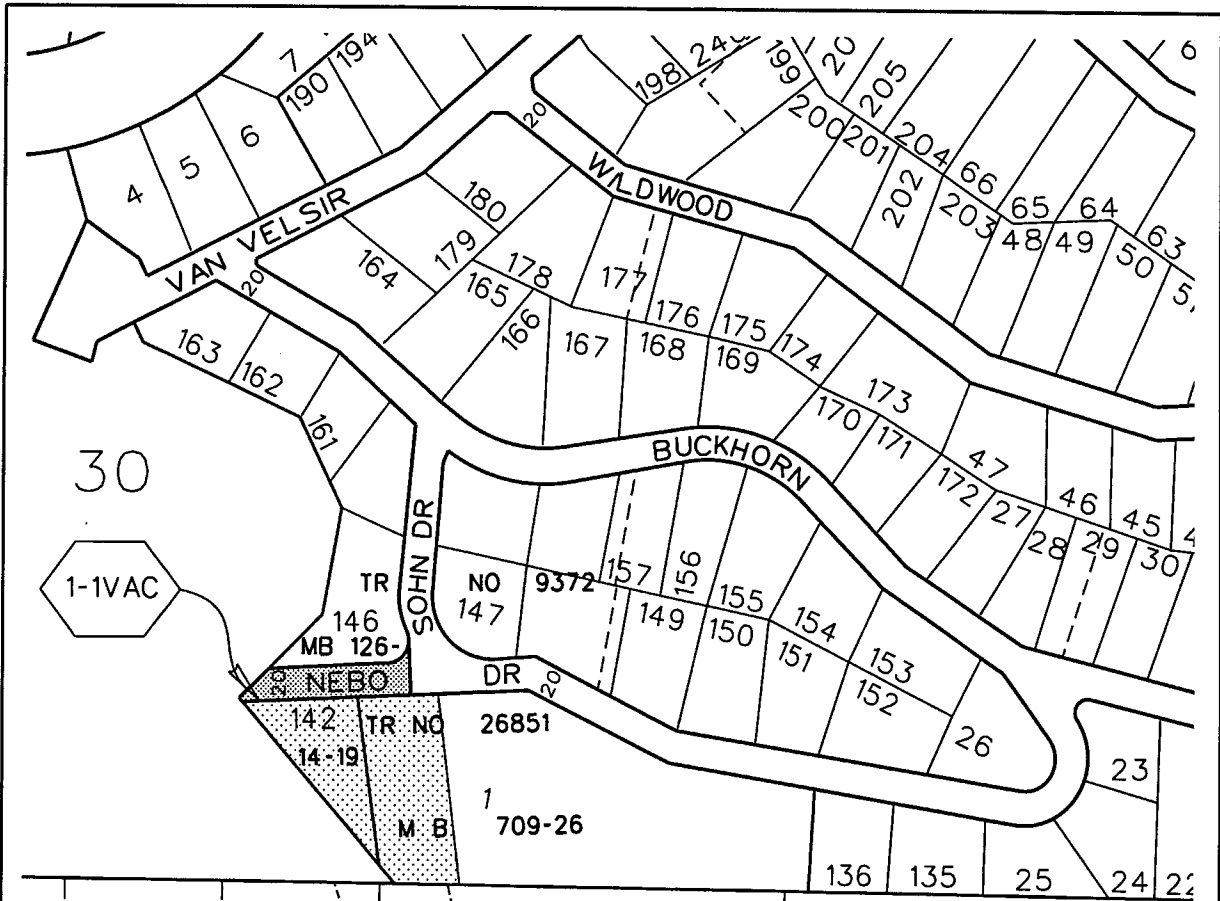
That portion of Nebo Drive, 20 feet wide, as shown and dedicated on map of Tract No. 9372, recorded in Book 126, pages 14 to 19, inclusive, of Maps, in the office of the Registrar-Recorder/County Clerk of the County of Los Angeles, lying within the following described boundaries:

Beginning at the most westerly corner of Lot 142 of said tract, said corner being a point in the southerly sideline of said Nebo Drive; thence along said southerly sideline, North 86°12' 30" East 106.96 feet to a straight line that bears at right angles from said southerly sideline and that is tangent to that certain 15-foot radius curve in the southeasterly boundary of Lot 146 of said tract; thence North 3°47'30" West along said straight line, a distance of 35.05 feet to said curve; thence southwesterly along said curve through a central angle of 90°00'00", an arc distance of 23.56 feet to the northerly sideline of said Nebo Drive; thence South 86°12' 30" West along said northerly sideline, a distance of 75.00 feet to the generally westerly boundary of said Nebo Drive; thence South 44°12' 00" West 25.83 feet and South 43°00' 00" East 3.50 feet along said generally westerly boundary to the point of beginning.

Containing: 2,063± square feet.

APPROVED AS TO DESCRIPTION
August 18, 2011
COUNTY OF LOS ANGELES
By 
SUPERVISING CADASTRAL ENGINEER III
Survey/Mapping & Property Management Division

This real property description has been prepared in conformance with the Professional Land Surveyors Act. The signatory herein is exempt pursuant to Section 8726 of the California Business and Professions Code.

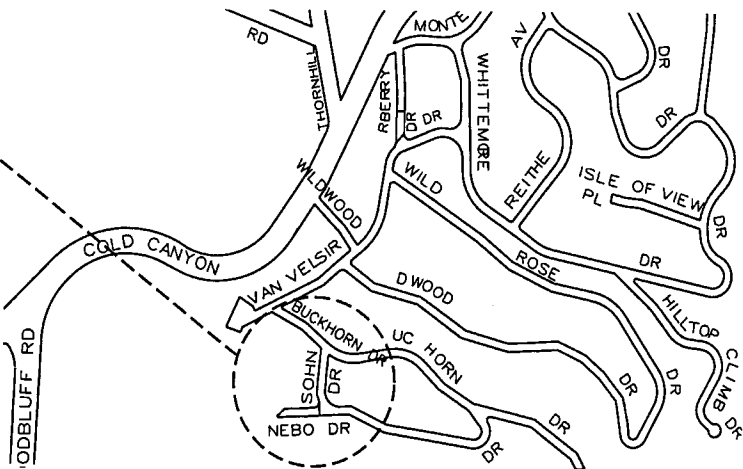


**SUBJECT
LOCATION**

EXHIBIT B

LEGEND

- Proposed road easement
to be Vacated
Total Area 2.063 ± s.f.
- Applicant



REVISIONS

1.	2.	3.
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DEPARTMENT OF PUBLIC WORKS

SURVEY/MAPPING & PROPERTY MANAGEMENT DIVISION

SD. 3	RD. 339	A.I.N. 4456-017-042	T.G. 629-A1	NEBO DRIVE W/O SOHN DRIVE	DRAWING NO. M0788113
SCALE NONE		DATE 03-30-11	I.M. 129-097		